

A BALANCED APPROACH TO JUVENILE JUSTICE - THE WORK OF THE JUVENILE JUSTICE ADVISORY COMMITTEE

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and
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As prosecutors, we know that our first commitment must be to make sure that our communities are safe and that dangerous criminals are convicted for their crimes and are not allowed to prey on society. This responsibility includes addressing the significant problems associated with juvenile crime in America. A balanced approach to addressing this issue is clearly warranted -- one which emphasizes the enforcement, prosecution and detention of serious, violent and repeat juvenile offenders, to protect the public safety and ensure accountability, while at the same time emphasizing the importance of proven prevention and intervention initiatives to prevent these crimes before they occur. The Juvenile Justice Advisory Committee of the National District Attorneys Association (NDAA), which we co-chair, has been active in recent years in promoting this message and the need for every prosecutor in America to take a leadership role in reference to dealing with juvenile crime -- both in our communities as well as our courtrooms.

In 1996, the Juvenile Justice Advisory Committee embarked upon the significant effort of compiling a manual outlining the policy positions of America's prosecutors concerning juvenile crime issues. Utilizing the efforts of the APRI Advisory Group on Serious, Violent and Habitual Offenders convened in 1995, the Juvenile Justice Advisory Committee compiled a resource manual containing policy positions on juvenile crime issues, which was adopted by NDAA's Board of Directors on November 16, 1996.

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This resource manual contains 36 separate policy positions in 14 topical areas. Topical areas covered include: Organizational Priorities; Decision to Prosecute; Adult vs. Juvenile Prosecution; Detention; Sentences; Terminology; Statements by Juveniles; Parental Responsibility; Information Access; Victims' Rights; Crime Prevention; Guns and Dangerous Weapons; Gangs; and Federal Responsibility. Each topical area contains a commentary section which discusses details surrounding the adopted policy positions. America's prosecutors will clearly benefit from the quick reference to the important issues surrounding juvenile crime provided by this resource manual. Such material can be of value during testimony before state legislatures, meetings with county commissioners, judges and law enforcement officials, and can also be of help to prosecutors in establishing office policies dealing with juvenile crime within their jurisdictions.

The Juvenile Justice Advisory Committee holds three meetings each year in conjunction with meetings of the NDAA's Board of Directors. Any NDAA member is invited to attend. At each Committee meeting, presentations are scheduled concerning innovative juvenile programs established by prosecutors throughout America or other juvenile justice programs or activities of interest to prosecutors. On March 19, 1998, the Juvenile Justice Advisory Committee received a detailed presentation regarding the important need to ensure that fewer children find their way into the criminal justice system in the first place from a new national organization working in the crime prevention arena: Fight Crime: Invest In Kids.¹ This group, led by over 300 police chiefs, prosecutors and crime survivors from throughout America, has been active in promoting the importance of funding proven crime prevention initiatives. These include programs aimed at providing early childhood care, preventing child abuse and neglect, and insuring that quality child care and after-school activities are available for America's youth. This message is supported by scientific research:

1. Early Childhood Care

In Ypsilanti, Michigan, the High/Scope Educational Research Foundation randomly admitted half the at-risk three- and four-year-old applicants to its quality pre-school center and provided their parents with in-home coaching in parenting skills for an hour and a half each week. Twenty-two years after the High/Scope services ended, the children admitted to these programs were found to be just one-fifth as likely as kids denied the services to be chronic law-breakers².

In a similar study in Syracuse, at-risk kids who were provided early childhood services and a high-quality preschool program were found to be only one-tenth as likely as kids denied those services to be delinquent by age 16³.

2. After-School Programs

A Fight Crime: Invest In Kids report⁴ presented to Attorney General Janet Reno last fall showed that after-school programs for school-age kids could cut crime dramatically. Based on FBI data compiled by the National Center for Juvenile Justice, the peak hours for violent juvenile crime were found to be from 2:00 to 8:00 p.m. -- from school dismissal until parents get home for dinner. That's when half of each day's juvenile crime occurs. The report's co-author, criminologist James Alan Fox, stated: "When the final school bell rings, leaving millions of young people without adult supervision or constructive activities, violent juvenile crime suddenly triples and prime time for juvenile crime begins."

Other research has shown that, even programs that serve only a limited number of kids have significantly reduced juvenile victimization during the after-school hours⁵. Another study has shown that with intensive recruiting, after-school programs have cut crime by as much as 75 percent in some high-crime neighborhoods⁶. Another study concluded that participants in after-school programs are more likely to do well in school, to treat adults with respect, and to resolve conflicts without violence⁷.

Investing in childhood care, after-school activities and programs aimed at preventing child abuse and neglect has some added bonuses as well. Such programs not only prevent crime and save lives, they save money as well. The RAND Corporation, an independent economic research and analysis group, recently released a study⁸ showing that when targeted to serve at-risk young families, quality early childhood programs can actually produce savings for the government -- from decreased crime and welfare costs, better academic outcomes and higher earnings later on -- which substantially exceed the costs of the programs. In another study completed by Rutgers University economist Steven Barnett of

the High/Scope Perry Preschool project in Ypsilanti, Michigan, which showed a savings of seven dollars in later crime costs for every dollar invested in its preschool and parental home-visiting program. Barnett estimated that the cost -- including increased crime and welfare costs, among others -- of failing to provide at least two years of quality early childhood care and education to low-income children is approximately \$100,000 per child, which equates to about \$400 billion for all poor children now under five living in America⁹. As Sandy Newman, President of Fight Crime: Invest In Kids, recently told the Juvenile Justice Advisory Committee: “By investing up front in the programs proven to turn kids away from crime, Congress and state legislatures can substantially reduce their criminal justice budgetary demands in the years ahead and begin to save thousands of lives almost immediately.”

It is important, however, to keep in mind that prevention must not come at the expense of failing to invest in prisons and juvenile detention facilities needed to house serious, violent and habitual offenders or at the expense of police, prosecutors, courts and corrections departments in America not receiving the funding they need to carry out their primary responsibilities of investigating, convicting, adequately punishing and monitoring juvenile criminal offenders. There is no substitute for getting dangerous criminals off the street and behind bars. But the message of Fight Crime: Invest In Kids is a compelling one which we can ill afford to ignore. We must continue our efforts to reduce crime by investing in proven prevention and intervention initiatives, like educational child care, mentoring programs and after-school programs. Many law enforcement leaders in America believe such prevention investments are important. Balance between law enforcement and prevention efforts must exist for our criminal justice system to survive and adequately cope with the rising numbers of juvenile offenders who will be flooding its gates in the 21st century. Prosecutors and other law enforcement officials need to step beyond their traditional roles and become involved with these types of crime

prevention programs. Efforts like these can pay many dividends in the long run by helping to reduce crime.

Prevention and prosecution are not incompatible with one another. To the contrary, they must both be pursued with equal vigor to help reduce America's crime problems. Clearly, a balanced approach to the crime problem is warranted -- one which emphasizes both prevention and early intervention at the same time that it provides adequate detention space and law enforcement funding to protect the public from serious, violent and repeat criminal offenders. Coupled with effective enforcement, prosecution and detention of serious, violent and habitual offenders, crime prevention initiatives are important and necessary.

To this end, we are proud of the efforts of the Juvenile Justice Advisory Committee which led to the NDAA recently adopting the following resolution at its March 21, 1998 Board of Directors meeting:

RESOLUTION
ON
CURBING YOUTH VIOLENCE

WHEREAS, the National District Attorneys Association (NDAA) recognizes the importance of nurturing and responsible parenting and supports programs that promote core family values, and intervention and prevention initiatives that focus on the serious negative impact of violence, abuse, neglect, crime and drugs upon the lives of youth; and

WHEREAS, the collective experience of state and local prosecutors across the nation is that the incidence of abuse, juvenile crime and delinquency is greatly increased when these basic needs of children have not been met.

NOW, THEREFORE, BE IT RESOLVED that the NDAA supports a coordinated and balanced approach to address our nation's growing youth violence problem, emphasizing the importance of proven prevention and intervention initiatives, such as efforts to ensure the availability of quality child-care, after-school programs and programs aimed at reducing child abuse, provided that such are not viewed as alternatives to the apprehension and prosecution of juvenile criminal offenders.

In helping provide policies to aid America's prosecutors in addressing the many issues surrounding juvenile crime and in recognizing the importance of striking a proper balance between

prosecution and prevention efforts, the NDAA has provided leadership which will assist in our on-going efforts to reduce crime and protect our citizens.

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¹ For more information about FIGHT CRIME: INVEST IN KIDS, or if you are interested in becoming a member of the National Advisory Committee of this group, contact Sanford (Sandy) Newman at 1334 G Street, NW, Suite B, Washington, DC 20005-3107; call (202)638-0690; fax (202)638-0673; e-mail info@fightcrime.org, or visit www.fightcrime.org on the world wide web.

² Schweinhart, L.J., H.V. Barnes and D.P. Weikart, *Significant Benefits: The High/Scope Perry Preschool Study Through Age 27* (Ypsilanti, MI: High-Scope Press, 1993).

³ Lally, J.R., P.L. Mangione and A.S. Honig, "The Syracuse University Family Development Research Program: Long-Range Impact of an Early Intervention with Low-Income Children and Their Families" in D.R. Powell, ed., *Parent Education as Early Childhood Intervention: Emerging Directions in Theory, Research and Practice* (Norwood, NJ: Ablex Publishing, 1988).

⁴ Fox, J.A. and S.A. Newman, *After-School Programs or After-School Crime* (Washington, D.C.: Fight Crime: Invest In Kids, September, 1997).

⁵ See, for example, *Police Athletic League: Juvenile Victimization Comparison for Goodnow PAL Center Area 1994 to 1997* (Baltimore: Baltimore Police Department, March 1998).

⁶ Jones, M.A. and D.R. Offord, "Reduction of Antisocial Behavior in Poor Children by Nonschool Skill Development," *Journal of Child Psychology and Psychiatry and Allied Disciplines* 30 (1989), 737-750.

⁷ Miller, B.M., *Out-of-School Time: Effects on Learning in the Primary Grades* (Wellesley, MA: School-Age Child Care Project[now called the National Institute on Out-of-School Time], Center for Research on Women, Wellesley College, 1995); and Posner, J.K. and D.L. Vandell, "Low-Income Children's After-School Care: Are there Beneficial Effects of After-School Programs," *Child Development* 65 (Society for Research in Child Development, 1994) 440-456.

⁸ Karoly, L.A. et al. *Investing in Our Children: What We Know and Don't Know About the Costs and Benefits of Early Childhood Interventions* (Santa Monica, CA: RAND, April 1998).

⁹ Barnett, W.S., "Cost Benefit Analysis" in Schweinhart, L.J., H.V. Barnes and D.P. Weikart, *Significant Benefits: The High/Scope Perry Preschool Study Through Age 27* (Ypsilanti, MI: High-Scope Press, 1993).